UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARIEL DAN BARKAI,

                    Plaintiff,

          v.   No. 21-CV-4050 (KMK)

GEORGE MENDEZ, *et al.*,   ORDER

                    Defendants.

KENNETH M. KARAS, United States District Judge:

Plaintiff brings this pro se action under 42 U.S.C. § 1983, alleging that Defendants infringed upon his constitutional rights when taking him into custody. (*See generally* Compl. (Dkt. No. 2).) By order dated October 12, 2021, the Court granted Plaintiff's Motion to Amend the Complaint by adding the names of John Doe Defendants. (*See* Dkt. No. 17.) To date, Plaintiff has not filed an amended complaint nor has he served the John Doe defendants. (*See* Defs.' Mem. of Law in Supp. of Defs.' Mot. To Dismiss ("Defs.' Mem.") 5 n.2 (Dkt. No. 34).) Accordingly, the since-identified John Doe Defendants, (*see* Dkt. No. 16), have not made an appearance in this Action, and thus motions practice regarding Defendants' Motion To Dismiss does not capture arguments relating thereto, (*see generally* Defs.' Mem.; *cf. id.* at 5 n.2).

Accordingly, it is hereby:

- ORDERED that Plaintiff shall file an amended complaint within seven days (7) of the date of this Order, or, in the alternative, inform the Court that he wishes to drop the claims against the four John Doe Defendants. If the former, Plaintiff is ORDERED to serve the John Doe Defendants within sixty (60) days of filing the amended complaint.

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- ORDERED that, should Plaintiff choose to file an amended complaint, within fourteen (14) days of Plaintiff's filing, Defense counsel are to inform the Court via a letter to the docket whether Defense counsel will also be representing the John Doe Defendants, as Defendants' opening memorandum of law intimates. If so, Defense counsel, in its letter, must indicate whether the John Doe Defendants intend to join the remaining Defendants' Motion and whether they request additional briefing specific to the John Doe Defendants.

SO ORDERED.

Dated: May 31, 2022
         White Plains, New York

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            KENNETH M. KARAS
        United States District Judge